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REMARKS

Applicants respectfully request entry of the amendment and reconsideration of the rejection of the claims.

Claims 1, 11, 12, 30-45, and 81 are currently pending.¹ Claims 11 and 30-45 are currently under examination and claims 1, 12, and 81 are withdrawn. By this amendment, claims 1, 12, and 81 are cancelled without prejudice and disclaimer. Applicants reserve the right to pursue the subject matter of these claims in one or more continuation applications.

Claim 11 has been amended to further clarify the claimed invention. Claim 94 is newly presented. After entry of the Amendment, claims 11, 30-45, and 94 will be pending. Applicants submit the amendment is supported throughout the specification, including at page 39, lines 16-21 and at page 49, lines 18-21, and does not raise any issues of new matter.

Utility

The Examiner rejected claim 11 and 30-45 under 35 U.S.C § 101 as lacking utility. The Examiner alleges the claimed invention lacks a credible asserted utility or a well-established utility. Applicants respectfully traverse this rejection.

The Examiner alleges further research would be required to identify or reasonably confirm a "real world" context of use. Applicants submit in order to establish utility they are not required to provide evidence sufficient to establish that an asserted utility is true beyond a reasonable doubt. *In re Irons*, 340 F.2d 974, 978 (CCPA 1965). Nor do Applicants have to provide evidence that establishes the asserted utility as a matter of statistical certainty. *Nelson v. Bowler*, 626 F.2d 853, 856-867 (CCPA 1980). Rather, Applicants only have the burden of presenting evidence that leads a person of ordinary skill in the art to conclude that the asserted utility is more likely than not true. MPEP § 2107.02 (emphasis in original).

Applicants submit that the invention as presently claimed has both specific and substantial utility according to the Utility Guidelines. The Utility Guidelines state that specific utility is that which is specific to the subject matter claimed. Thus, specific utility requires

¹ Applicants note the Office Action Summary incorrectly states that claims 1-93 are pending and claims 1-10, 12-29 and 46-93 are withdrawn. By contrast, claims 2-10, 13-29, 46-80, and 82-93 were cancelled in the transmittal document for the present application.

something more than a statement of diagnosing an unspecified disease, such as a disclosure of what condition can be diagnosed. The specification discloses that antibodies that specifically bind SEQ ID NO:26 may be used for the diagnosis of disorders associated with expression of SEQ ID NO:26. The specification describes cancer as a disorder associated with expression of SEQ ID NO:26. Specification at page 50, lines 29-33. Applicants therefore submit the claimed antibodies in the least have specific utility for the diagnosis of cancer.

For example, the specification discloses that antibodies can be used for diagnosis of disorders characterized by expression of MEMAP such as, for example, SEQ ID NO:26 (page 49, lines 18-20). Diseases associated with expression of MEMAP include cancers including ovary, breast, gastrointestinal tract, kidney, lung, skin, testis, prostate, bladder, adenocarcinoma, and colon cancer (page 50, lines 25-33 and page 52, lines 1). Examples of disorders associated with increased expression of MEMAP include cancer, including ovary, breast, gastrointestinal tract, kidney, lung, skin, testis, prostate, bladder, and adenocarcinoma (page 37, lines 10-13 and page 38, line 35 to page 39, line 2).

SEQ ID NO:26 has been shown to be over expressed in tumors as compared to normal tissue. In WO03/000113, for example, SEQ ID NO:26 corresponds to amino acid residues 29-254 of TAT183. In experiments performed using GeneExpress expression database analysis, TAT183 was significantly over expressed in breast, colon, rectum, endometrial, kidney, lung, ovarian, skin, testis and bladder cancers as compared to normal tissues (page 127, lines 39-48). In experiments performed using microarray analysis, TAT183 was found to be significantly over expressed in ovarian, rectum, colon, lung, breast, and prostate tumors as compared to normal tissues (page 131, lines 9-14). In real-time quantitative PCR experiments, TAT183 was significantly over expressed in lung tumor as compared to normal lung tissue (page 133, line 25). In experiments performed using GEPSIS, an RNA expression database in which expression of a gene is determined based on proportional correlation with the number of ESTs in databases, TAT183 was significantly over expressed in breast, endometrial, lung, and skin tumors as compared to normal tissues (page 145, lines 40-43). This information confirms that antibodies that specifically bind SEQ ID NO:26 are useful for diagnosing cancers characterized by over expression of MEMAP.

Further, Applicants respectfully disagree with the Examiner's statement that there is "no clear guidance in the specification regarding the biological activity of SEQ ID NO:26". The Examiner alleges that Brenner teaches that sequence identity alone is insufficient to establish functional relationships between proteins. In view of the teachings of Brenner, the Examiner maintains the amino acid sequence homology between SEQ ID NO:26 and mouse transporter protein (MTP) provides insufficient information to enable the artisan to reasonably predict that SEQ ID NO:26 is functionally related to MTP."

As a preliminary matter, Applicants disagree with the Examiner's assertion that Brenner teaches that "sequence homology alone is insufficient to establish functional relationships between proteins, rather it must be used in concert with structural information to accurately establish relationships between proteins." Brenner assesses the performance of different sequence comparison methods for identifying homologs as it would be employed by one skilled in the art attempting to identify homologs of a specific protein. To assess this performance, Brenner used the SCOP database as a sample population of proteins. The assessment of the performance used proteins that were structurally and functionally characterized.

Brenner teaches that pairwise sequence comparison methods are capable of detecting almost all relationships between proteins whose sequence identities are greater than 30% (Brenner, Abstract at page 6073 and figure 3 at page 6075). Brenner et al. also found that pairwise sequence comparison methods utilizing statistical scores, such as E-values, recognized greater than 90% of the homologous pairs with 30-40% identity (Brenner et al. at page 6077). Brenner et al. conclude that E-values give fairly accurate estimates of the significance of pairwise sequence matches and the homologous proteins found by sequence comparison can be distinguished with high reliability from the huge number of unrelated pairs. (Brenner et al. at pages 6077-6078).

Applicants' methods for identifying protein sequence homology were similar to the pairwise sequence comparison methods described in Brenner. See, for example, specification at pages 15-17. As discussed above, Brenner et al. teach that pairwise sequence comparison methods are capable of detecting almost all relationships between proteins whose sequence identities are greater than 30% (Brenner et al., Abstract at page 6073 and figure 3 at page 6075). SEQ ID NO:26 has 43% amino acid identity with MTP, also known as lysosome associated

transmembrane protein 4 alpha, over 229 residues (copy of alignment enclosed). Therefore, one skilled in the art would recognize that a functional assignment of SEQ ID NO:26 based on the significant homology to MTP is more likely than not true.

Applicants have demonstrated the claimed invention sufficiently complies with the utility requirement of 35 U.S.C. § 101. The claimed antibodies have specific and substantial utility in diagnostic methods for detection of cancer. Withdrawal of the rejection is respectfully requested.

Enablement

Claims 11 and 30-45 were rejected under 35 U.S.C. § 112, first paragraph, as lacking enablement. The Examiner alleges one skilled in the art would not know how to use the claimed invention because the claimed invention is not supported by a credible utility or a well-established utility. Applicants respectfully traverse this rejection.

Antibodies to a polypeptide associated with cancer have well-established utility in diagnostic assays for detecting cancer. As discussed above, Applicants' antibodies to SEQ ID NO:26, in the least, have credible utility in a diagnostic assay for detecting cancer. Specification at page 49, lines 18-35. Applicants assert the specification teaches one skilled in the art how to use the claimed invention because the claimed invention is supported by a well-established utility. Withdrawal of this aspect of the rejection under § 112, first paragraph, is respectfully requested.

The Examiner alleges the specification does not provide sufficient guidance to make and use the scope of claimed antibodies. Specifically, the Office Action asserts that antibodies that specifically bind to a polypeptide comprising a naturally occurring amino acid sequence at least 90% identical to the amino acid sequence of SEQ ID NO:26 are allegedly not enabled. Applicants do not agree with or acquiesce to the rejection. However, in order to expedite prosecution, Applicants have directed the claims to an antibody that specifically binds a polypeptide comprising an amino acid sequence of SEQ ID NO:26, an immunogenic fragment of a polypeptide having the amino acid sequence of SEQ ID NO:26, or a biologically active fragment of a polypeptide having an amino acid sequence of SEQ ID NO:26. This amendment renders the basis of this rejection under § 112, first paragraph, moot.

Withdrawal of the enablement rejection is respectfully requested.

Written Description

Claims 11 and 3-45 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action states that adequate written description is provided for “an antibody which specifically binds the polypeptide of SEQ ID NO:26 or immunogenic fragments thereof.” The Office Action further states that Applicants allegedly lacked possession of the genus of antibodies specifically binding polypeptides comprising a naturally occurring amino acid sequence at least 90% identical to the amino acid sequence of SEQ ID NO:26. Applicants respectfully traverse this rejection.

Without acquiescing to the rejection and solely to expedite prosecution, Applicants have directed the claims to an antibody that specifically binds a polypeptide comprising an amino acid sequence of SEQ ID NO:26, an immunogenic fragment of a polypeptide having the amino acid sequence of SEQ ID NO:26, or a biologically active fragment of a polypeptide having an amino acid sequence of SEQ ID NO:26. This amendment renders the basis of the rejection under § 112, first paragraph, moot. Withdrawal of the written description rejection is respectfully requested.

Anticipation

Claims 11 and 30-45 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,448,230 to Ruben et al. (hereinafter the '230 patent). The Examiner alleges the antibodies disclosed in the '230 patent anticipate Applicants' claims to antibodies that specifically bind SEQ ID NO:26. The Examiner also contends that antibodies that bind to any of the many polypeptides described in the '230 patent are generally described. The Examiner asserts that given the high degree of identity between the polypeptides of the '230 patent and SEQ ID NO:26 one of skill in the art would reasonably expect that antibodies to polypeptides in the '230 patent would bind to SEQ ID NO:26. Applicants respectfully traverse this rejection.

To anticipate a claim, each and every element of the claim must be described, either expressly or inherently, in a single prior art reference. *Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Applicants submit that the Ruben et al reference does not anticipate the claims because it does not describe all of the elements of the claims.

Antibodies to the polypeptide of the '230 patent would not specifically bind to a polypeptide comprising the amino acid sequence of SEQ ID NO:26 or immunogenic fragments thereof as required by claim 11 of the present application, because "specific binding", as used in the present application and well-understood in the art, means that the antibody binds a particular polypeptide and does not substantially bind to any other polypeptide.

The term "specifically bind" is defined in the present application at page 22, lines 8-14. The definition states that "specific binding" and "specifically binding" refer to that interaction between a protein or peptide and an agonist, an antibody, an antagonist, a small molecule, or any natural or synthetic binding composition. The definition further states that the interaction is dependent upon the presence of a particular structure of the protein, e.g., the antigenic determinant or epitope, recognized by the binding molecule. Applicants note that claim 11 requires specific binding to a polypeptide comprising the amino acid sequence of SEQ ID NO:26 or immunogenic fragment thereof.

Further clarity as to the meaning of the phrase "specific binding" is provided by definitions of the term "specific". Page 1132 of the Webster's Ninth New Collegiate Dictionary defines the word "specific" as "restricted to a particular individual, situation relation or effect" or "of, relating to, or constituting a species" (enclosed herewith as Exhibit A). As such, when referring to an antibody's ability to "specifically bind" to SEQ ID NO:26, one clearly can understand that the antibody's ability to bind is "restricted" to SEQ ID NO:26 or immunogenic fragments thereof (i.e., the meaning of the term "specific"). Therefore, it is well accepted in the art that the term "specifically binds" in reference to an antibody means that the antibody is capable of binding to a "restricted" thing or a group of things (e.g., a polypeptide comprising the amino acid sequence of SEQ ID NO:26 or immunogenic fragments thereof in the present claims) but the antibody does not bind to things outside of that specifically defined and restricted group of thing(s).

Page 1730 of The American Heritage Dictionary of the English Language, Third Edition (enclosed herewith as Exhibit B) provides the meaning of the word "specific" in relation to antibody or antigen binding as "[h]aving an affinity limited to a particular antibody or antigen". Again, the dictionary's definition of the term "specific" is consistent with the skilled artisan's well-accepted meaning of the term "specifically binds" to mean that the antibody is capable of

binding to a "restricted" thing or a group of things (e.g., a polypeptide comprising the amino acid sequence of SEQ ID NO:26 or immunogenic fragments thereof in the presently pending claims) but the antibody does not bind to things outside of that specifically defined and restricted group of thing(s).

The pending claims encompass antibodies that bind to a polypeptide comprising the amino acid sequence of SEQ ID NO:26 or immunogenic fragments thereof and do not substantially bind to any other polypeptide (i.e. "specific binding"). Thus, the claims are directed towards antibodies that specifically bind one class of polypeptides: polypeptides comprising the amino acid sequence of SEQ ID NO:26 or immunogenic fragments thereof. In contrast, the Ruben et al reference discloses polypeptides that differ in size and amino acid sequence from that of a polypeptide comprising SEQ ID NO:26. Thus, the Ruben et al. reference does not anticipate the claims, in the least, because it does not describe antibodies that specifically bind to a polypeptide comprising SEQ ID NO:26 or immunogenic fragments thereof.

Based on the foregoing, Applicants respectfully request withdrawal of the 35 U.S.C. 102 (e) rejection of the claims.

Summary

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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Date: June 14, 2004

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Application No. 09/965,529
Amendment dated June 14, 2004
Response to Office Action of February 12, 2004

APPENDIX

specialization

EXHIBIT B

ion (spesh'ə-lī-zā'shən) *n.* 1. The act of spe-
cializing or becoming specialized. 2. Biology. *a.*
an organ or organism, to a specific function or
character, a feature, or an organism resulting
from specialization. — *intr.*

particular activity or product: The shop specializes in mountain-climbing gear. — tr. 1. To make specific mention of; particularize. 2. To give a particular character or function to: specialized her field of research. 3. Biology. To adapt to a particular function or environment; cause to undergo specialization. 4. To specify the payee in endorsing (a check).

Special Olympics pl.n. A program of competitive sports events fashioned after the Olympic games and intended for physically or mentally challenged athletes.

special pleading n. 1. Law. Assertion of new or special matters in support of one's allegations, as an alternative to

special pleading *n.* 1. Law. Assertion of new facts or legal principles to offset the opposing party's allegations, as an alternative to direct denial. 2. A presentation of an argument that emphasizes direct aspects of the question at issue.

special relativity *n.* The physical theory of space and time developed by Albert Einstein, based on the postulates that all the laws of physics are equally valid in all frames of reference moving at a uniform velocity and that the speed of light from a uniformly moving source is always the same, regardless of how fast or slow the source or its observer is moving. The theory has as consequences the relativistic mass increase of rapidly moving objects, the Lorentz-Fitzgerald contraction, time dilation, and the principle of mass-energy equivalence. Also called *special theory of relativity*.

special session *n.* A session of a court or legislative body held in addition to the regular sessions.

special theory of relativity *n.* See special relativity.

special theory of relativity *n.* See **special relativity**.
spe·cial·ty (spesh'ə-ē) *n.*, pl. -ties. 1. A special pursuit, occupation, aptitude, or skill. See **Synonyms at forte**¹. 2. A branch of medicine or surgery, such as cardiology or neurosurgery, in which a physician specializes; the field or practice of a specialist. 3. A special feature or characteristic; a peculiarity. 4. The state or quality of being special or distinctive. 5. An item or product of a distinctive kind or of particular superiority: French poetry is the chef's specialty. 6. Law. A special contract or agreement, especially a deed kept under seal.

spe·ci·a·tion (spə'shē-ā'shən, -shən) *n.* The evolutionary formation of new biological species, usually by the division of a single species into two or more genetically distinct ones. [*SPECI*(ES) + *ATION*] — *spe·ci·a·tional* *adj.*

spe·cia (spō'shē, -sē) *n.* Coined money; coin. — *Idiom.* In *spe·cie*. 1. In coin. 2. In a similar manner; in kind; repaid the *of·fense* in *spe·cie*. 3. *Law.* In the same kind or shape; as specified. [*From* (in) *specie*, (in) the actual form, from Latin (in) *specie*, (in) the objective of *species*. See *SPECIES*.]

species (spé'shēz, -sēz) *n.* pl. **species**. Abbr. **sp.** 1. **Biology.** **a.** A fundamental category of taxonomic classification, ranking below a genus or subgenus and consisting of related organisms capable of interbreeding. See table at taxonomy. **b.** An organism belonging to such a category, represented in binomial nomenclature by an uncapitalized Latin adjective or noun following a capitalized genus name, as in *Ananas comosus*, the pineapple, and *Equus caballus*, the horse. 2. **Logic.** A class of individuals or objects grouped by virtue of their common attributes and assigned a common name; a division subordinate to a genus. 3. **a.** A kind, variety, or type: "No species of performing artist is as self-critical as a dancer" (Susan Sontag). **b.** The human race: humankind. 4. **Roman Catholic Church.** **a.** The outward appearance or form of the Eucharistic elements that is retained after their consecration. **b.** Either of the consecrated elements of the Eucharist. 5. **Obsolete.** **a.** An outward form or appearance. **b.** Specie. [Middle English, logical classification, from Latin *species*, a seeing, kind, *speci-*. See *spoke-* in Appendix.]

species-ism (spē'shē-zīz'm, -zē-) *n.* Human intolerance or discrimination on the basis of species, especially as manifested by cruelty to or exploitation of animals. —**species-ist** *adj.* & *n.* Limited

species-specific (spe'shē-spi-sīf'ik, -sēz-) adj. Limited to or found only in one species; a species-specific antibody; a species-specific virus. —**species-specificity** (-spēs'ā-sīf'ī-tē) n.

spec-i-fi-cally (spēs'ə-fl'ə-bəl) *adj.* Possible to specify:
specifiable complaints.

specific (spi-sif'ik) *adj.* Abbr. *specific*, *sp.* 1. Explicitly set forth; definite. See Synonyms at *explicit*. 2. Relating to, characterizing, or distinguishing a species. 3. Special, distinctive, or unique; *specific qualities and attributes*. 4. a. Intended for, applying to, or acting on a particular thing; *a specific remedy for warts*. b. Concerned particularly with the subject specified. Often used in combination: "age-specific peeing patterns" (A. Dianne Schmidley). 5. a. Designating a disease produced by a particular microorganism or condition. b. Having a remedial influence or effect on a particular disease. 6. Immunology. Having an affinity limited to a particular antibody or antigen. 7. a. Designating a customs charge levied on merchandise by unit or weight

rather than according to value. b. Designating a commodity when applicable to the transportation of a single commodity between named points. — **specific** n. 1. a. Something particularly fitted to a use or purpose. 2. a. A remedy intended for a particular ailment or disorder. 2. a. A distinguishing quality or attribute. b. **specifice**. Distinct items or details; particulars. (Late Latin **specificus**: Latin **species**, kind, species; see **SPECIES** + Latin **-ficus**, -ful) **specifically** adv. — **specificity** (spēs'ə-fis'1-tē) n. — **spec. spec.** 1. The

spec-i-fi-ca-tion (spek'a-fī-kā'shan) *n.* Abbr. **spec.** 1. The act of specifying. 2. a. specifications. A detailed, exact statement of particulars, especially a statement prescribing material, dimensions, and quality of work for something to be built, installed, or manufactured. b. A single item or article that has been specified. 3. An exact written description of an invention by an applicant for a patent.

specific epithet *n.* The uncapsalized Latin adjective or noun that follows a capitalized genus name in binomial nomenclature and serves to distinguish a species from others in the same genus, as *saccharum* in *Acer saccharum* (sugar maple). Also called *trivial name*.

specific gravity *n.* Abbr. *sg*, *sp gr* The ratio of the mass of a solid or liquid to the mass of an equal volume of distilled water at 4°C (39°F) or of a gas to an equal volume of air or hydrogen at specified conditions of temperature and pressure.

specific heat *n.* *Abbrev. sp. ht.* 1. The ratio of the amount of heat required to raise the temperature of a unit mass of a substance to one unit of temperature to the amount of heat required to raise the temperature of a similar mass of a reference material, usually water, by the same amount. 2. The amount of heat, measured in calories, required to raise the temperature of one gram of a substance by one Celsius degree.

specific impulse *n.* A performance measure for rocket propellants that is equal to units of thrust per unit weight of propellant consumed per unit time. Also called *specific thrust*.

specific performance *n.* Law. The performance of a contract as specified in its terms.

specific resistance *n.* Electricity. Electrical resistivity.
See specific impedance.

specific resistance *n.* *specificity*
specific thrust *n.* See *specific impulse*.
spec-i-fy (spes'ə-fī) *tr.v.* -fied, -fying, -fies. 1. To name explicitly or in detail: specified the amount needed. 2. To include in a specification. 3. To state as a condition: specified that there be included in the will. [Middle English *specificen*, from Old French *specificer*, from Late Latin *specificare*, from *specificus*, *specific* *adj.* *specific* *n.* *specificity* *n.* *specifically* *adv.* *specificity* *n.*

spec·i·men (spek'i-a-men) *n.* **Class. sp.** 1. An individual, a
item, or a part representative of a class, genus, or whole. See **Sp**
onyms at **example**. 2. A sample, as of tissue, blood, or urine
used for analysis and diagnosis. 3. **Informal** An individual;
person; a disagreeable specimen. [**Latin**, example, from **speci**
to look at. See **spek-** in **Appendix**.]

spe·ci·ous (spə'shəs) *adj.* 1. Having the ring of truth or plausibility but actually fallacious; a specious argument. 2. Deceptively attractive. [Middle English, attractive, from Latin *speciosus*, from *species*, appearance, from *specere*, to look at. See *spec-* in Appendix.] —*spe·ci·ous·ly* *adv.* —*spe·ci·ous·ness* (*-ness*) *n.*

USAGE NOTE: A specious argument is not simply a false one but one that has the ring of truth. Those aware of the specialized use of the word may therefore sense a certain contradiction in hearing an argument described as obviously specious or specious on the face of things; if the fallaciousness is apparent, the argument is probably not plausible-sounding to begin with.

speck (spĕk) *n.* 1. A small spot, mark, or discoloration. 2. A tiny amount; a bit; not a *speck* of truth in her story. — *speck* *vs.* *spoke*, *speck*·*ing*, *specks*. To mark with specks. [*Mid* English *specke*, from Old English *specca*.]

speck·le (spek'əl) *n.* A speck or small spot, especially a natural dot of color on skin, plumage, or foliage. [Middle English *speckle* — *speckle* *v.*

speck·led (spék'ld) *adj.* 1. Dotted or covered with specks, especially flecked with small spots of contrasting color. 2. Of mixed character; motley.

speckled trout *n.* See brook trout.
specs also **specks** (**speks**) *pl.n.* Informal. Eyeglasses; spectacles.

spec-ta-cle (spek'ta-kəl) *n.* 1. a. Something that can be seen or viewed, especially something of a remarkable or impressive nature. b. A public performance or display, especially one of a remarkable or memorable public display, as of a circus.

speciades. a. A pair of eyeglasses. b. Something resembling spectacles in shape or function. [Middle English, from

speciades. *a.* A pair of eyeglasses in shape or function. (Middle English, the eyeglasses in shape or function. [Middle English, the French, from Latin *specificum*, from *specere*, to watch, to look at. See *spec-* in Appendix.]

spec-ig-gled (*spek'-ig-gled*) *adj.* 1. Wearing spectacles. 2. Used of animals.

spec·ta·cle (spek-tak-ld) *adj.* 1. Wearing spectacles.
Having markings suggesting spectacles. Used of animals.
spec·ta·cu·lar (spek-tak-yu-lar) *adj.* Of the nature of a spectacle; impressive or sensational. — **spec·ta·cu·lar** *n.* Same as spectacle.

tac·tle: impressive or sensational. — **spectac·u·lar** *adj.*
 that is spectacular, as: *a. A single dramatic production of unusual length or lavishness. b. An elaborate display.* — **tac·u·lar·i·ty** (*-lar-i-ty*) *n.* — **spec·tac·u·lar·ly** *adv.*



spectacled
Spectacled bear
Tremarctos ornatus

EXHIBIT A

the distinctness of
equivocal reference
program that is not
a special service or
private property to
see the value of the

property
special delivery *n* (1886): expedited messenger delivery of mail matter
for an extra fee

special district *n* (1950): a political subdivision of a state established to
provide a single public service (as water supply or sanitation) within a
specific geographical area

special drawing rights *n* (1967): a means of exchange used by govern-
ments to settle their international indebtedness

special effects *n pl* (1944): visual or sound effects introduced into a
motion picture or a taped television production during laboratory
processing

Special Forces *n pl* (1962): a branch of the army composed of men
specially trained in guerrilla warfare

special handling *n* (1928): the handling of parcel-post or fourth-class
mail as first-class but not as special-delivery matter for an extra postal
fee

special interest *n* (1910): a person or group seeking to influence legisla-
tive or government policy to further often narrowly defined interests;
esp : LOBBY

specialism \ˈspesh-ə-liz-əm/ *n* (1856) 1: specialization in an occupa-
tion or branch of learning 2: a field of specialization: SPECIALTY

specialist \ˈspesh-ə-lɪst/ *n* (1856) 1: one who devotes himself to a
special occupation or branch of learning 2: any of four enlisted ranks
in the army corresponding to the grades of corporal through sergeant
first class — *specialist or specialist* \ˈspesh-ə-lɪst-ɪk/ *adj*

speciality \ˈspesh-ə-lɪ-ti/ *n pl* (15c) 1: a special mark or
quality 2: a special object or class of objects 3: a special apti-
tude or skill b: a particular occupation or branch of learning

specialization \ˈspesh-ə-lɪ-z-ə-shən/ *n* (1843) 1: a making or be-
coming specialized 2: a: structural adaptation of a body part to a
particular function or of an organism for life in a particular environ-
ment b: a body part or an organism adapted by specialization

specialize \ˈspesh-ə-lɪz/ *vb* -ized; -izing *vi* (1613) 1: to make partic-
ular mention of: PARTICULARIZE 2: to apply or direct to a specific
end or use (specialized his study) ~ *vi* 1: to concentrate one's efforts
in a special activity or field 2: to undergo specialization; *esp* : to
change adaptively (the sloth became highly specialized in the course of
evolution)

specialized *adj* (1853) 1: designed or fitted for one particular purpose
or occupation (~ personnel) 2: characterized by or exhibiting bio-
logical specialization; *esp* : highly differentiated *esp* in a particular
direction or for a particular end

special jury *n* (1730): a jury chosen by the court on request from a list
of better educated or presumably more intelligent prospective jurors
for a case involving complicated issues of fact or serious felonies —
called also *blue-ribbon jury*

special pleading *n* (1684) 1: the allegation of special or new matter to
offset the effect of matter pleaded by the opposite side and admitted, as
distinguished from a direct denial of the matter pleaded 2: mislead-
ing argument that presents one point or phase as if it covered the entire
question at issue

special theory of relativity (1924): RELATIVITY 3a
specialty \ˈspesh-əl-ɪ-ti/ *n pl* -ties [ME *specialtie*, fr. MF *specialité*, fr.
LL *specialitas*, *specialitas*, fr. L *specialis* special] (14c) 1: a distinctive
mark or quality 2: a: a special object or class of objects; as (1): a
legal agreement embodied in a sealed instrument (2): a product of a
special kind or of special excellence (fried chicken was father's ~) b:
the state of being special, distinctive, or peculiar 3: something in
which one specializes

speciation \ˈspesh-ə-shən/ *n* (ca. 1900): the process of biological
species formation — *speciate* \ˈspesh-ə-shən/ *vi* — *speciation* *adj*

specie \ˈspesh-ē/ *n* [fr. *In specie*, fr. L, in kind] (1617): money in
coin — *in specie*: in the same or like form or kind (ready to return
insult *in specie*); also: in coin

specie *n* [back-formation fr. *species* (taken as a pl.)] *subst* (1711)
: SPECIES

species \ˈspesh-ēz, -ēz/ *n pl* species [L, appearance, kind, species
— more at *spv*] (1551) 1: a class of individuals having common
attributes and designated by a common name; *specif*: a logical division
of a genus or more comprehensive class b: KIND, SORT c: the hu-
man race: human beings — often used with the (survival of the ~ in
the nuclear age) d (1): a category of biological classification rank-
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tion, relation, or effect (a disease ~ to horses) b: exerting a distinc-
tive influence (as on a body part or a disease) (~ antibodies) 3: free
from ambiguity: ACCURATE (a ~ statement of faith) 4: of, relating

any of various arbitrary constants and *esp* one relating
quantitative attribute to u. mass, volume, or area b: imposed at a
fixed rate per unit (as of weight or count) (~ import duties) — com-
pare AD VALOREM *syn* see SPECIAL EXPLICIT — *specifically* *adv*
k(ə)-lē *adv*

specific *n* (1661) 1: something peculiarly adapted to a purpose or
use b: a drug or remedy having a specific mitigating effect on a dis-
ease 2: a: a characteristic quality or trait b: DETAILS, PARTICULARS
— usu. used in pl. (haggling over the legal and financial ~s of indepen-
dence — Time) *c pl*: SPECIFICATION 2a

specification \ˈspesh-ə-fɪ-kə-shən/ *n* (1615) 1: the act or process of
specifying 2: a: a detailed precise presentation of something or of a
plan or proposal for something — usu. used in pl. b: a statement of
legal particulars (as of charges or of contract terms); also: a single
item of such statement c: a written description of an invention for
which a patent is sought

specific epithet *n* (1947): the Latin or latinized noun or adjective that
follows the genus name in a taxonomic binomial

specific gravity *n* (1666): the ratio of the density of a substance to the
density of some substance (as pure water or hydrogen) taken as a stan-
dard when both densities are obtained by weighing in air

specific heat *n* (1832) 1: the ratio of the quantity of heat required to
raise the temperature of a body one degree to that required to raise the
temperature of an equal mass of water one degree 2: the heat in calo-
ries required to raise the temperature of one gram of a substance one
degree centigrade

specific impulse *n* (1947): the thrust produced per unit rate of con-
sumption of the propellant that is usu. expressed in pounds of thrust
per pound of propellant used per second and that is a measure of the
efficiency of a rocket engine

specificity \ˈspesh-ə-fɪ-sɪ-ti/ *n* (1876): the quality or condition of
being specific: as a: the condition of being peculiar to a particular
individual or group of organisms (host ~ of a parasite) b: the condi-
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tions (the ~ of an enzyme)

specific performance *n* (1873) 1: the performance of a legal contract
strictly or substantially according to its terms 2: an equitable remedy
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ganisms or populations potentially capable of interbreeding, and being

specialization

EXHIBIT B

ion (spesh'ə-lī-zā'shan) *n.* 1. The act of specializing or becoming specialized. 2. Biology. *n.* An organ or organism, to a specific function or a character, a feature, or an organism resulting from.

particular activity or product: The shop specializes in mountain-climbing gear. — tr. 1. To make specific mention of; particularize. 2. To give a particular character or function to: specialized her field of research. 3. Biology. To adapt to a particular function or environment; cause to undergo specialization. 4. To specify the payee in endorsing (a check).

Special Olympics *n.* A program of competitive sports events fashioned after the Olympic games and intended for physically or mentally challenged athletes.

special pleading *n.* 1. *Law.* Assertion of new or special matter to avert the opposing party's allegations, as an alternative to direct denial. 2. A presentation of an argument that emphasizes only a favorable or single aspect of the question at issue.

special relativity *n.* The physical theory of space and time developed by Albert Einstein, based on the postulates that all laws of physics are equally valid in all frames of reference moving at a uniform velocity and that the speed of light from a uniformly moving source is always the same, regardless of how fast or slow the source or its observer is moving. The theory has as consequences the relativistic mass increase of rapidly moving objects, the Lorentz-Fitzgerald contraction, time dilatation, and the principle of mass-energy equivalence. Also called *special theory of relativity*.

special session *n.* A session of a court or legislative body held in addition to the regular sessions. See special relativity.

special theory of relativity *n.* See *special relativity*.

special theory of relativity *n.* See **special relativity**.
spe·cial·ty (spesh'ul-ē) *n., pl. -ties*. 1. A special pursuit, occupation, aptitude, or skill. See **Synonyms at forte**¹. 2. A branch of medicine or surgery, such as cardiology or neurosurgery, in which a physician specializes; the field or practice of a specialist. 3. A special feature or characteristic; a peculiarity. 4. A product of a distinctive kind or of particular superiority: French poetry is the chef's specialty. 5. An item or agreement, especially a deed kept under seal.

spec·i·a·tion (*spe'she-ā-shən, -tō*) n. The evolutionary formation of new biological species, usually by the division of a single species into two or more genetically distinct ones. [*SPECI(ES)* + *-ATION*] —*spec'i-a-tion'al* adj.

spe·cie (spé'shē,-sē) *n.* Coined money; coin. —*Idiom.* In spe·cie. 1. In coin. 2. In a similar manner; in kind: repaid the of·fense in spe·cie. 3. *Laws.* In the same kind or shape; as specified.
[From (*in*) specie, (*in*) the actual form, from Latin (*in*) specie, (*in*) designation of merited. See SPECIES.]

spe-cies (spé'áshē, -sē) *n.*, *pl.* **species**. **Abbr.** *sp.* 1. **Biology.** *a.* A fundamental category of taxonomic classification, ranking below a genus or subgenus and consisting of related organisms capable of interbreeding. See **table at taxonomy**. *b.* An organism belonging to such a category, represented in binomial nomenclature by an uncapsalized Latin adjective or noun following a capsalized genus name, as in *Aranas comorus*, the pineapple, and *Equus caballus*, the horse. 2. **Logic.** A class of individuals or objects grouped by virtue of their common attributes and assigned a common name; a division subordinate to a genus. 3. *a.* A kind, variety, or type: "No species of performing artist is as self-critical as a dancer" (Susan Sontag). *b.* The human race; humankind. 4. **Roman Catholic Church.** *a.* The outward appearance or form of the Eucharistic elements that is retained after their consecration. *b.* Either of the consecrated elements of the Eucharist. 5. **Ob-sol.** *a.* An outward form or appearance. *b.* **Specie**. [**Middle English**, logical classification, from Latin *species*, a seeing, kind, form. See **look** in Appendix.]

spo·ci·es·ism (spē'shē-zīz'm, -sé-) *n.* Human intolerance or discrimination on the basis of species, especially as manifested by

spo·cies·spe·cif·ic (spé-shés-spi-kíf'ík, -és-) adj. Limited to or found only in one species; a species-specific antibody; a species-specific virus. — **spo·cies·spe·cif·ic·i·ty** (-spé'si-fis'í-tē) n.

specif. abbr. 1. Specific. 2. Specifically.
spec-i-fi-able (spe's-a-fi'a-bəl) adj. Possible to specify:
specifiable complaints.

specific (spĕ-sĭ-fĭk) *adj.* **Addr. specif., sp.** 1. Explicitly set forth; definite. See Synonyms at explicit. 2. Relating to, characterizing, or distinguishing a species. 3. Special, distinctive, or unique; specific qualities and attributes. 4. a. Intended for, applying to, or acting on a particular thing: a specific remedy for warts. b. Concerned particularly with the subject specified. Often used in combination: "age-specific poring patterns" (A. Dianne Schmidley). 5. a. Designating a disease produced by a particular microorganism or condition. b. Having a remedial influence or effect on a particular disease. 6. Immunology. Having an affinity limited to a particular antibody or antigen. 7. a. Designating a customs charge levied on merchandise by unit or weight.

rather than according to value. b. Designating a commodity to be applicable to the transportation of a single commodity between named points. — *specific* n. 1. a. Something particularly fitted to a use or purpose. b. A remedy intended for a particular ailment or disorder. 2. a. A distinguishing quality or attribute. b. *specifice*. Distinct items or details; particulars. (Late Latin *specificus*: Latin *species*, kind, species; see *SPECIES* + Latin *-ficus*, -ful). — *specifically* adv. — *specificity* (n. Abbrev. *spec. I. T.*)

spec-i-fi-ca-tion (spēs'-ə-n-ē-shən) *n.* Abb. **spec.** 1. The act of specifying. 2. a. specifications. A detailed, exact statement of particulars, especially a statement prescribing material, dimensions, and quality of work for something to be built, installed, or manufactured. b. A single item or article that has been specified. 3. An exact written description of an invention by a patent applicant for a patent.

specific epithet *n.* The uncapitalized Latin adjective or word that follows a capitalized genus name in binomial nomenclature and serves to distinguish a species from others in the same genus, as *saccharum* in *Acer saccharum* (sugar maple). Also called *trivial name*.

specific gravity *n.* Abbr. **sg**, **sp gr** The ratio of the mass of a solid or liquid to the mass of an equal volume of distilled water at 4°C (39°F) or of a gas to an equal volume of air or hydrogen under prescribed conditions of temperature and pressure.

specific heat *n.* *Abbr. sp. ht.* 1. The ratio of the amount of heat required to raise the temperature of a unit mass of a substance by one unit of temperature to the amount of heat required to raise the temperature of a similar mass of a reference material, usually water, by the same amount. 2. The amount of heat, measured in calories, required to raise the temperature of one gram of a substance by one Celsius degree.

specific impulse *n.* A performance measure for rocket propellants that is equal to units of thrust per unit weight of propellant consumed per unit time. Also called *specific thrust*.

specific performance *n.* Law. The performance of a contract as specified in its terms.

specific resistance *n.* Electricity. Electrical resistivity.
See specific impedance.

specific resistance *n.* *Spécif. Résistance*
specific thrust *n.* See **specific impulse**.
spec-i-fy (*spes'if-i*) *tr.v.* -fied, -fy'ing, -fies. 1. To state explicitly or in detail: specified the amount needed. 2. To include in a specification. 3. To state as a condition: specified that he be included in the will. (Middle English *specifien*, from Old French *specifier*, from Late Latin *specificare*, from *specificus*, *spécif.* See **SPECIFIC**.) —**spec'i-fi'er** *n.*

specimen (spēs'-mən). *Abbr. sp.* 1. An individual, item, or a part representative of a class, genus, or whole. See **typic**. 2. A sample, as of tissue, blood, or urine, used for analysis and diagnosis. 3. *Informal* An individual person; a disagreeable specimen. [*Latin*, example, from *specimen* in look at. See **speak** in Appendix.]

specious (spé'shəs) adj. 1. Having the ring of truth or plausibility but actually fallacious; a *specious* argument. 2. Deceptively attractive. [Middle English, from *specere*, to look at. See *sp.* in Appendix.] — *speciously* adv. — *spec'dous-ly* (-lī) (*ô's'l-ē*), *spe'dous-ness* (-shəs-nis) n.

USAGE NOTE: A specious argument is not simply a false one that has the ring of truth. Those aware of the specializations of the word may therefore sense a certain contradiction in how an argument described as obviously specious or specious on face of things; if the fallaciousness is apparent, the argument probably not plausible-sounding to begin with.

speck (spĕk) *n.* 1. A small spot, mark, or discoloration, tiny amount; a bit; not a *speck* of truth in her story. — *speck*ed, *speck*-ing. *specks.* To mark with specks. [*N* English *specke*, from Old English *specca*.]

speck·le (spék'əl) *n.* A speck or small spot, especially a n. dot of color on skin, plumage, or foliage. [Middle English *sp*—*speck*/*le* *v.*

speck·led (spek'ld) *adj.* 1. Dotted or covered with spots especially flecked with small spots of contrasting color. 2 mixed character; motley.

speckled trout n. See brook trout.
specs also specks (speks) pl.n. Informal. Eyeglasses;
clg. Something that can

spec·ta·cle (spek'ta-kəl) *n.* 1. a. Something that can be viewed, especially something of a remarkable or impressive nature. b. A public performance or display, especially a large or lavish one. c. A regrettable public display, as a fight between two men and made a **spectacle** of him.

large or lavish scale. c. A regrettable piece of behavior: drunk too much and made a spectacle of him-
 self. d. A pair of eyeglasses. e. Something res-
 pectacular in shape or function. (Middle English, fr.
 French, from Latin *specificū*, from *specere*, to view;
 see also *specimen* in Appendix B.)

spect-a-cled (spek'-tə-kald) adj. 1. Wearing spectacles. Having markings suggesting spectacles. Used of animals.

spec-tac-u-lar (spek-tak'y-ŭ-lər) *adj.* Of the nature of a spectacle; impressive or sensational. — **spec-tac-u-lar** *n.* A thing that is spectacular, as: *a.* A single dramatic production of unusual length or lavishness. *b.* An elaborate display. — **spec-u-lar-i-ty** (-lăr-i-tē) *n.* — **spec-tac-u-lar-ly** *adv.*



spectacled
Spectacled bear
Tremarctos ornatus